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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Cox Communications, Inc.	)	File No. EB-04-SD-051
	)	
Facility ID #s 002295 & 004818	)	
Community Unit ID #s AZ0109, AZ0110,	)	
AZ0148, AZ0176, AZ0273 and AZ0878	)	NOV No. V20043294001
Maricopa County, Arizona	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: September 13, 2004**

By the District Director, San Diego Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Cox Communications, Inc., the operator of a cable television system in Maricopa County, Arizona.
2. From February 10 through 13, 2004, an agent from the Commission's San Diego Office inspected the Emergency Alert System ("EAS") equipment and logs at the following cable system headend locations operated by Cox Communications, Inc.:

<b>Site</b>	<b>Address</b>
Bell	1550 W. Deer Valley Rd., Phoenix, AZ
East Mesa	4437 E. Holmes Ave., Mesa, AZ
Fowler	6610 Van Buren St., Phoenix, AZ
McDowell	3008 E. McDowell Rd., Phoenix, AZ
Peoria	9534 W. Peoria Ave., Peoria, AZ
Scottsdale North	28213 N. 64 <sup>th</sup> St., Scottsdale, AZ

The agent observed the following violation:

47 C.F.R. § 11.52(d): ``Broadcast stations and cable systems and wireless cable systems must monitor two EAS sources. The monitoring assignments of each

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<sup>1</sup>47 C.F.R. § 1.89.

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broadcast station, cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. They are developed in accordance with FCC monitoring priorities." Cox Communications, Inc. had the capability to monitor two EAS sources but failed to monitor the local LP-1 station. According to the local EAS plan for the Phoenix, AZ area (Maricopa County, Arizona), the designated LP-1 station is KTAR(AM), Phoenix, Arizona.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Cox Communications, Inc., must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
San Diego Office  
4542 Ruffner Street, Suite 370  
San Diego, California 92111

4. This Notice shall be sent to Cox Communications, Inc., 1550 Deer Valley Road, Phoenix, Arizona 85027.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

William R. Zears Jr.  
District Director  
San Diego Office  
Western Region  
Enforcement Bureau

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<sup>2</sup>47 U.S.C. § 308(b).

<sup>3</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup>18 U.S.C. § 1001 *et seq.*

